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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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July 26, 2004

### FACSIMILE COVER SHEET

To: OIPE  
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

From: Douglas A. Scholer  
Reg. No. 52,197

Fax: 703-746-4060

Re: U.S. Patent Application  
Serial No. 10/789,861  
Filed: February 27, 2004  
Applicant: James M. Campos et al.  
Art Unit: 3762  
Confirmation No.: 8466  
Our Ref: ROWE/03A

Enclosures:

Fax Cover Sheet containing Certificate of Facsimile  
(1 page)  
Response to the Notice to File Missing Parts of  
Nonprovisional Application containing Certificate  
of Facsimile Transmission and Authorization to  
Charge Deposit Account 23-3000 in the amount of  
\$65.00 for the Surcharge (2 pages)  
Copy of Notice to File Missing Parts of  
Nonprovisional Application (2 pages)  
Executed Declaration, Power of Attorney and  
Petition executed by James M. Campos  
and Bruce D. Rowe (3 pages)

Pages: 8 (including cover sheet)

### MESSAGE/COMMENTS OFFICIAL

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (8 total pages, including cover sheet) are being transmitted via facsimile transmission to OIPE, Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-746-4060 on July 26, 2004.

*Judith L. Volk*  
Judith L. Volk

*July 26, 2004*  
Date

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ROWE/03A  
Confirmation No. 8466**CERTIFICATE OF FACSIMILE TRANSMISSION**

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*Judith L. Volk*  
Judith L. Volk

*July 26 2004*  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James M. Campos et al.  
Serial No.: 10/789,861  
Filed: February 27, 2004  
For: RESONANT MUSCLE STIMULATOR

Art Unit: 3762  
Examiner: Unknown

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is being submitted in Response to the Notice to File Missing Parts of Nonprovisional Application mailed May 25, 2004. A copy of the Notice (2 pages), as well as a Declaration, Power of Attorney, and Petition executed by the inventors, James M. Campos and Bruce D. Rowe (3 pages), are also enclosed. Authorization to charge Deposit Account 23-3000 in the amount of \$65.00 for the surcharge based upon small entity status is granted.

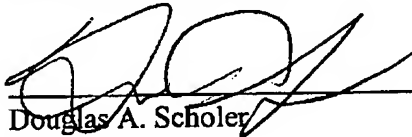
The deadline for filing a response extends up to and includes July 26, 2004 since July 25, 2004 is a Sunday, and this communication is thus timely filed. If, however, any other charges or credits are necessary to complete this communication, please also apply them to the Deposit Account 23-3000.

Page 1 of 2  
Serial No. 10/789,861  
Response dated 07/26/2004  
Responsive to Notice to File Missing Parts mailed 05/25/2004  
WH&E: ROWE/03A  
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If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324.

Respectfully submitted,

7/26/04  
Date

  
Douglas A. Scholer  
Reg. No. 52,197

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Page 2 of 2  
Serial No. 10789,861  
Response dated 07/26/2004  
Responsive to Notice to File Missing Parts mailed 05/25/2004  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,861	02/27/2004	James M. Campos	ROWE / 03A

26875  
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CONFIRMATION NO. 8466

## FORMALITIES LETTER



\*OC00000012771584\*

Date Mailed: 05/25/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

07/27/2004 JBALINAN 00000096 233000 10789861

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Passant

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE